

The Flinn Report

Illinois

Regulation

Claire B. Eberle, Editor

700 Stratton Bldg., Springfield IL 62706

Joint Committee on Administrative Rules

Illinois General Assembly

217/785-2254

www.ilga.gov/commission/jcar

VOL. 30

July 14, 2006

Issue 28

Illinois Regulation is a summary of the weekly regulatory decisions of State agencies published in the Illinois Register and action taken by the Illinois General Assembly's Joint Committee on Administrative Rules. Illinois Regulation is designed to inform and involve the public in changes taking place in agency administration.

New Regulations

EXTERNAL DEFIBRILLATORS

The DEPARTMENT OF PUBLIC HEALTH adopted a new Part titled "Heartsaver AED Grant Code" (77 Ill Adm Code 530), effective 6/28/06, to implement Public Act 93-1085, which created the Heartsaver AED Fund. PA 93-1085 gave DPH the power to make matching grants from the Fund to any public school, public park district, public college or university required to have an automated external defibrillator (AED) pursuant to the Physical Fitness Facility Medical Emergency Preparedness Act [210 ILCS 74] and the related rules at 77 Ill Adm Code 527. This new Part states eligibility and grant requirements. Grant funds are limited to one grant per eligible facility and must be used to purchase an AED. Grant agreements may be terminated if there are insufficient funds or if a grantee substantially fails or continually fails to comply with stated requirements. Also, either party may terminate a grant agreement by giving 30 calendar days written notice to the other party. This new Part also states requirements for denial, suspension, or revocation of grant applications and grants. Also, grants made under this new Part are subject to the Grant Funds Recovery Act, and any hearings held under this Part are sub-

ject to DPH's hearing rules. A change since 1st Notice specifies that the grant cycle runs concurrent with the fiscal year, and applications may be submitted beginning July 1st. The public entities desiring grants will be affected by this rulemaking.

BLOOD DONORS

DPH also adopted a new Part titled "Employee Blood Donation Leave Code" (77 Ill Adm Code 985), effective 6/28/06, to implement Public Act 94-33, which specifies that units of local government, boards of election commissioners, and private employers who have 51 or more employees may provide paid time off of 1 hour or less every 56 days or more to those employees who request work time to donate blood. The rulemaking establishes a nonmandatory program that covers definitions, employer policies, leave request procedures, and grievance procedures. In addition, if an employer adopts a paid leave for such blood donations, the participating employee is not required to use accumulated or future sick or vacation time for the time used to donate or attempt to donate blood. These rules do not affect collective bargaining agreements. Changes since 1st

(cont'd next page)

Proposed Regulations

HIGHWAY & ROAD SIGNS

The DEPARTMENT OF TRANSPORTATION proposed a new Part titled "Tourism Attraction Signing Program" (92 Ill Adm Code 543) to establish requirements for participation in the new tourism signing category in Illinois. While the tourism program is similar to DOT's business logo signing program (92 Ill Adm Code 542), the new program will concentrate on freeway signing for wineries, amusement parks, arenas, auditoriums, convention centers, fairgrounds, museums, nature preserves, auto and horse race tracks, stadiums, State and national parks, and State historic sites. The program will be jointly administered by DOT and the Department of Commerce and Economic Opportunity (DCEO). According to the Department, DCEO will determine qualifying criteria for tourism attractions and participation requirements while DOT will retain control of sign installation and setting program fees. The rulemaking addresses program participation eligibility criteria, design of tourism attraction panels and signs, recreational vehicle symbol signs, application requirements, fees, and sign placement and maintenance. Small businesses and not-for-profit corporations that choose to participate in the program will be impacted by this rulemaking.

DOT also proposed a new Part titled "Engine Braking Signs" (92 Ill Adm

(cont'd page 6)

NEW REGULATIONS: Rules adopted by agencies this week.

PROPOSED REGULATIONS: Rules proposed by agencies this week, commencing a 45-day First Notice period. Public comments must be accepted by the agency for the period of time indicated.

☞: Symbol designating rules of special interest to small businesses, small municipalities, and not-for-profit corporations. Agencies are required to consider comments from these groups and minimize the regulatory burden on them.

QUESTIONS/COMMENTS/RULE TEXT: Direct mail or phone calls to the agency personnel listed below each summary. Providing volume and issue number of The Flinn Report or the Illinois Register will expedite the process. Some agencies charge copying fees. However, copy requests do not have to be made under the Freedom of Information Act.

New Regulations

Notice specify that the employer's blood donation policies must state whether the one-hr. period may be retained by the employee if the attempt to donate blood is unsuccessful. Also, the employer's policies must include a grievance procedure. Small businesses, small municipalities, and not-for-profit corporations that have 51 or more employees may be affected by this rulemaking.

Questions/requests for copies of the 2 DPH rulemakings above: Susan Meister, DPH, 535 W. Jefferson, 5th Fl., Springfield IL 62761, 217/782-2043, e-mail: rules@idph.state.il.us

CARNIVALS & AMUSEMENTS

The CARNIVAL-AMUSEMENT SAFETY BOARD adopted amendments for rules titled "Carnival and Amusement Ride Safety Act" (56 Ill Adm Code 6000), effective 6/30/06, to update regulation of carnival rides and amusement attractions and address liability insurance issues. Definitions of "dune buggy", "kiddie kart", and "racing go-kart" are added and "concession go-kart" clarified. Inspection and reinspection fees are increased, effective 7/1/06, and insurance requirements applicable to self-insured governmental bodies that operate amusement rides or attractions are added. Other covered topics include granting waivers of go-kart vehicle, track, or operation safety requirements for facilities built prior to 2006 and clarifying or modifying current go-kart requirements. Changes since 1st Notice update incorporations by reference of manuals titled *Standards on Amusement Rides and Devices* and *Snell Helmet Safety Standards*, which pertains to go-kart drivers. Those affected by this rulemaking include owners and operators of carnival rides and amusement attractions.

Questions/requests for copies: Valerie A. Puccini, DOL, 160 N. LaSalle St., C-1300, Chicago IL 60601, 312/793-7838, Fax 312/793-5257.

MESSAGE THERAPISTS

The DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION adopted amendments for rules titled "Massage Licensing Act" (68 Ill Adm Code 1284), effective 6/29/06. The rulemaking establishes initial registration and renewal fees for continuing education sponsors and exempts State agencies, State colleges and State universities that are approved as continuing education (CE) sponsors from such fees. Beginning with the 12/31/08 licensure renewal cycle and every future renewal period, all renewal applicants except those applying for their 1st renewal are required to complete 24 hours of CE, which includes 2 hours on the topic of ethics. The proposed rulemaking also requires individuals seeking restoration of an expired or an inactive license to provide proof of completing 24 CE hours within the 2 years prior to restoring the license, beginning 12/31/08. Additional amendments detail criteria for waiving CE requirements, explain verification procedures for CE credits earned, and establish standards and requirements for entities seeking approval as a continuing education sponsor. Those affected by this rulemaking include massage therapy service providers and CE providers.

Questions/requests for copies: Barb Smith, DFPR, 320 W. Washington, 3rd Fl., Springfield IL 62786, 217/785-0813, Fax 217/557-4451.

HUNTING & TRAPPING

The DEPARTMENT OF NATURAL RESOURCES adopted amendments for the following 4 Parts, all effective 6/28/06: "Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote and Woodchuck (Groundhog) Hunting" (17 Ill Adm Code 550); "Squirrel Hunting" (17 Ill Adm Code 690); "Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Gray Fox, Coyote, Badger, Beaver and Woodchuck (Groundhog) Trapping" (17 Ill Adm Code 570); and "General Hunting and Trapping on Department-

Owned or -Managed Sites" (17 Ill Adm Code 510). Part 550 amendments add Deer Pond State Natural Area, Kankakee River State Park, Mazonia State Fish and Wildlife Area, and Momence Wetlands State Natural Area to the list of sites where statewide regulations apply. Also, 2 additional changes to the same list specify that (1) the Baldwin Lake Waterfowl Rest Area at Kaskaskia River State Fish and Wildlife Area is closed and (2) unauthorized personnel may not be at Marseilles State Fish and Wildlife Area outside of the posted check station operating hours and hunters there may enter the site only from designated parking lots. Concerning sites where hunters must obtain a DNR permit, Beaver Dam State Park is restricted to bow-and-arrow hunting only, and Des Plaines State Fish and Wildlife Area is an added site. The Des Plaines site is restricted to coyote hunting (no dogs allowed; shotgun and shotshells only) during a season that opens the day after archery deer season closes and ends on February 28th. Part 690 amendments change the close of the squirrel season from January 20th to February 15th, note the closing of the Baldwin Lake area, open the Marseilles site (certain restrictions apply) daily from November 1st through the end of the site archery deer season, and close it during the site firearm and muzzleloading deer season. The rulemaking also specifies that the season at Johnson-Sauk Trail State Park reopens the day after archery deer season closes and runs until the end of the statewide season. Part 570 amendments consistently apply a January 20th start date in the northern zone and a January 25th start date in the southern zone for the time period during which trapping of various animals is not allowed after sunset. Also, badger trapping in the northern zone may begin November 5th rather than November 10th. Rimfire firearms of .22 caliber or smaller are permitted unless otherwise specified at DNR-owned or DNR-controlled sites, the Baldwin Lake area is closed, and certain trap restrictions and the permit requirement at Moraine View State Park are

New Regulations

stricken. Part 510 amendments strike the requirement that deer-tracking dogs be certified by a national dog-tracking organization and require ground blinds to be covered in vivid blaze orange material.

DNR also adopted amendments to the following 7 Parts, all effective 6/28/06: "White-Tailed Deer Hunting by Use of Firearms" (17 Ill Adm Code 650), "White-Tailed Deer Hunting by Use of Muzzleloading Rifles" (17 Ill Adm Code 660), "White-Tailed Deer Hunting by Use of Bow and Arrow" (17 Ill Adm Code 670), "Youth Hunting Seasons" (17 Ill Adm Code 685), "The Taking of Wild Turkeys-Fall Archery Season" (17 Ill Adm Code 720), "Dove Hunting" (17 Ill Adm Code 730), and "Crow, Woodcock, Snipe, Rail and Teal Hunting" (17 Ill Adm Code 740). Part 720 amendments clarify that mechanical devices that maintain a drawn or partially drawn position on a bow without the hunter exerting full string tension is illegal unless authorized for eligible disabled persons. The rulemaking also adds Deer Pond State Natural Area and Fort Kaskaskia State Historic Site to the list of sites where statewide regulations apply and makes site-specific changes concerning hunting areas and access regulations at Kaskaskia River State Fish and Wildlife Area and Marseilles State Fish and Wildlife Area. Part 730 amendments make site-specific changes concerning hunting times and dates, hunting areas, access, lottery procedures, and group hunting procedures to dove hunting regulations at 8 DNR sites. Part 740 makes site-specific changes regarding hunting area, access regulations, and hunting dates at 3 DNR sites, which are Kaskaskia River State Fish and Wildlife Area, Marseilles State Fish and Wildlife Area, and Horseshoe Lake State Park (Madison County). Amendments for Part 685 add a youth waterfowl hunt at Spring Lake State Fish and Wildlife Area. DNR also allows the attachment of a substitute tag or paper with the confirmation number on it when the original is obscured for youth deer hunts. All three deer-related Parts 650, 660, and

670 streamline group and/or special hunt application and drawing procedures in order to be more user friendly. In addition, they allow the attachment of a substitute tag or paper with the confirmation number on it when the original is obscured. Also, the name of the I-24 Wildlife Management Area has been changed to Skinner Farm State Habitat Area wherever it appears, and all three Parts lower the nonresident antlerless deer permit fee to \$15. Both Parts 650 and 660 set the price of nonresident, either-sex or antlered-only deer permits at \$250 and prohibit the use of in-line muzzleloaders or muzzleloaders with scopes at Fort de Chartres State Historic Site. Part 650 also increases the deer permit fee for nonresident shareholders/members/beneficiaries to \$100. Devil's Island Wildlife Management Area, Miller-Anderson Woods State Natural Area, and George S. Park Memorial Woods State Natural Area are added to the list of sites where statewide hunting regulations will be in effect. The Part 650 amendments add Cedar Glen State Natural Area, Clinton Lake State Recreation Area, French Bluff State Natural Area, Jubilee College State Park, Sandy Ford State Natural Area, and Margery C. Carlson Nature Preserve to the list of sites that are available for hunting by special permit. The Part 650 rulemaking also strikes from the list of sites that are available for hunting by special permit the following sites: Beall Woods State Park, Devil's Island Wildlife Management Area, Jim Edgar/Panther Creek State Fish and Wildlife Area, and Miller-Anderson Woods Nature Preserve, and creates hunting opportunities for disabled hunters at Horseshoe Lake State Conservation Area and Jubilee College State Park. Additionally, the amendments make site-specific changes regarding disabled hunts at Rock Cut State Park and Starved Rock State Park. Part 660 adds Miller-Anderson Woods State Natural Area and George S. Park State Natural Area to the list of sites where statewide hunting regulations will be in effect, makes site-specific changes at Pyramid State Park, and adds the

following locations to the list of sites that are available for hunting by special permit: Cedar Glen State Natural Area, French Bluff State Natural Area, and Sandy Ford State Natural Area. Additionally, there are site-specific changes concerning permits/tags, hunting area, antlerless vs. antlered deer requirements, hunting dates, access requirements, and check-in requirements added to 9 other sites. Part 670 amendments raise the fee for a nonresident, either-sex archery permit to \$365 and increase the permit fee for nonresident shareholders/members/beneficiaries to \$150. The amendments also change the dates of the application periods and allow the purchase of more than one either-sex deer permit per season. Holders of combination permits are no longer required to print their complete name and address on the tag. Permits available after the lottery concludes will be available on a first come-first served basis. Part 670 adds Cedar Glen State Natural Area, Fort Kaskaskia State Historic Site, George S. Park Memorial Woods State Natural Area, Kankakee River State Park, Lincoln Trail State Park, Mazonia/Braidwood State Fish and Wildlife Area, Momence Wetlands State Natural Area, and White Pines Forest State Park to the list of sites where statewide hunting regulations will be in effect. Additionally, the rulemaking makes changes to site-specific regulations concerning antlered vs. antlerless deer requirements, resident vs. nonresident requirements, hunting dates, hunting areas, access requirements, disabled hunter requirements, check-in procedures, and blinds at 17 additional sites. Changes since 1st Notice updated the names of several state parks.

Questions/requests for copies of the 11 DNR rulemakings above: Jack Price, DNR, One Natural Resources Way, Spfld IL 62702-1271, 217/782-1809.

PROPERTY TAXES

The PROPERTY TAX APPEAL BOARD adopted amendments for "Practice and Procedure for Appeals Before the

New Regulations

Property Tax Appeal Board" (86 Ill Adm Code 1910), effective 6/30/06. The amendments update Board office information (e.g., telephone and fax numbers, website, office hours), remove the prohibition on accepting facsimile documents, and allow parties to send facsimile documents of 100 pages or less provided that originals are submitted to the Board within 5 days of transmission. The party sending the facsimile bears the risk of unsuccessful transmission. Small businesses with issues before PTAB may be affected by this rulemaking.

Questions/requests for copies: James Chipman, PTAB, 402 Stratton Bldg., Springfield IL 62706, 217/782-6076, e-mail: james.chipman@illinois.gov

STATE EMPLOYEES

The STATE EMPLOYEES' RETIREMENT SYSTEM adopted revisions to its Qualified Illinois Domestic Relations Order (QILDRO) provisions in its System rules titled "The Administration and Operation of the State Employees' Retirement System of Illinois" (80 Ill Adm Code 1540), effective 7/1/06, to conform to revisions mandated by Public Act 94-657. The System will accept submissions for a percentage of a member's retirement benefit amount or a percentage of a member's refund or death benefit. Minimum elements required in a QILDRO calculation order submitted to the System are set out: the nonrefundable \$50 processing fee; a certified copy of the original QILDRO dated on or after 7/1/06; name, address, and social security number of the member and alternate payee; the order identifying SERS as the retirement system to which the order is directed; the order applying only to benefits that are statutorily subject to QILDRO calculation orders; and the order being in the form adopted by the System and available on the System's website, among other requirements. The System will also

accept a court order that fulfills these requirements. The rulemaking details time frames and procedures by which the System shall provide benefit information required by law to the member and alternate payee or representative of each for retirement benefits, refunds, or death benefits.

Questions/requests for copies: Patrick Cummings, SERS, 2101 S. Veterans Pkwy., Springfield IL 62794-9276, 217/785-7260, Fax 217/524-2293.

The DEPARTMENT OF CENTRAL MANAGEMENT SERVICES adopted amendments to "Pay Plan" (80 Ill Adm Code 310) by peremptory rulemaking, effective 7/1/06, to reflect 7 memoranda of understanding (MOU) between the State and the American Federation of State, County and Municipal Employees (AFSCME). The first MOU, effective 5/12/06, assigns the administrative assistant II title to pay grade 19. The second MOU, effective 1/25/06, assigns the industrial and community development representative I title to pay grade 17 and removes this title from the list of employee positions that are compensated under the merit compensation system rather than through collective bargaining agreements. Another MOU, effective 4/18/06, assigns the industrial and community representative II title to pay grade 19 and removes this title from the list of merit compensation employee positions. Two MOUs, both effective 4/28/06, assign the methods and procedures advisor III title to pay grade 20 and the retirement systems disability specialist title to pay grade 19, with the disability title also removed from the merit compensation system. Finally, two MOUs, effective 6/15/06, reflect the Civil Service Commission's approval of new class specifications. One MOU establishes the child development aide title with the pay grade 10 and reassigns employees currently in the merit compensation positions of child development aide III to the AFSCME-represented title. Finally, the last MOU assigns pay grades 19, 20, 22, and 10 to the following titles

respectively: terrorism research specialist I, terrorism research specialist II, terrorism research specialist III, and terrorism research specialist trainee. The agencies affected are Aging, Agriculture, Central Management Services, Children and Family Services, Commerce and Economic Opportunity, Corrections, Emergency Management, Employment Security, Environmental Protection, Financial and Professional Regulation, Healthcare and Family Services, Historic Preservation, Human Rights, Human Rights Commission, Human Services, Medical District Commission, Natural Resources, Pollution Control Board, Property Tax Appeal Board, Public Health, Revenue, State Fire Marshal, State Police, State Retirement Systems, Transportation, and the Workers' Compensation Commission.

DCMS also adopted emergency amendments to "Pay Plan" (80 Ill Adm Code 310), effective 7/1/06, for a maximum of 150 days. Identical proposed amendments appear in this issue of the *Illinois Register*. The emergency rulemaking replaces extra-duty pay with "temporary-assignment pay" and specifies how that pay is calculated. To be eligible for temporary-assignment pay, a collective bargaining unit employee must be directed to perform duties that distinguish the high-level position classification and be held accountable for the responsibility of the higher classification. The amendments detail when temporary-assignment pay may be given to employees required to use a second language, including sign language or Braille, and how the pay amount is calculated. The rulemaking also adds "interim-assignment pay" for certified non-bargaining unit employees and explains how pay is calculated and affects creditable service dates, allows equivalent earned time accrued during June of one fiscal year to be used prior to August of the immediately following fiscal year, and establishes

New Regulations

salary treatment upon return from interim-assignment leave. (See the rulemaking below, which also concerns interim-assignment pay.)

Questions/requests for copies of the DCMS Pay Plan rulemakings above/comments concerning the proposed rulemaking until 8/28/06: Jason Doggett, DCMS, 504 Stratton Bldg., Springfield IL 62706, 217/782-7964, Fax 217/524-4570.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES adopted emergency amendments to “Merit and Fitness” (80 Ill Adm Code 302), effective 7/1/06, for a maximum of 150 days. Identical proposed amendments appear in this issue of the *Illinois Register*. CMS will now assume control over “interim assignments” of certified non-bargaining unit employees. The Director of CMS may appoint a certified non-bargaining unit employee to work on a full-time interim basis and be accountable for higher-level duties and responsibilities of a non-bargaining unit position within the same “broadband position” classification or a position with a higher pay grade or range. The initial assignment (requested by the agency where the work will be performed) may be up to six months, with subsequent 6-month extensions approved by the CMS Director. The employee must be qualified for the position with higher-level duties and must request a leave of absence from his or her current position to accept the interim assignment.

Questions/requests for copies/comments concerning the proposed rulemaking until 8/28/06: Gina Wilson, DCMS, 720 Stratton Bldg., Springfield IL 62706, 217/785-1793.

MEDICAL TRANSPORTATION

The DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES adopted an emergency amendment to “Medical Payment” (89 Ill Adm Code 140), effective 7/1/06,

for a maximum of 150 days to allow payment for an employee or non-employee attendant of a taxicab or service car (livery) when transporting a medical assistance client to or from medical care. The amendment also allows payment for service car or medicar transportation based on “loaded miles”, which are those miles for which the provider is actually transporting an individual. An identical proposed rulemaking appears in this issue of the *Illinois Register*. Taxicab and service car entities providing medical transportation and medicar providers will be affected by these rulemakings.

HOSPITAL PAYMENTS

DHFS also adopted an emergency repeal of an emergency amendment to “Hospital Services” (89 Ill Adm Code 148), effective 7/1/06. The amendment repeals an earlier emergency published in the 4/21/06 *Illinois Register* that increased fiscal year 2006 “safety net adjustment payments” to the following 4 hospitals that are high-volume Medicaid service providers: Holy Cross, Michael Reese, and Sacred Heart in Chicago and St. Francis in Blue Island. A more recent emergency rulemaking and its identical proposed companion in the 7/7/06 *Illinois Register* restated the earlier emergency text for the 4 hospitals and added the following hospitals that will receive critical hospital adjustment payments or safety net adjustment payments: Lincoln Park, LaRabida Children’s, St. Anthony, Jackson Park, Rush Presbyterian St. Luke, and Roseland (all located in Chicago); Little Company of Mary (Evergreen Park); St. James (Chicago Heights); Kenneth Hall (E. St. Louis); and St. Francis (Blue Island). Additional amendments eliminated St. Elizabeth’s (Belleville) eligibility for SNAP. Therefore, the earlier emergency rulemaking has been superseded and is repealed this week. The only Medicaid-funded hospitals affected are those listed.

Questions/requests for copies of the 3

DHFS rulemakings above/comments concerning the proposed rulemaking until 8/28/06: Tamara Tanzillo Hoffman, DHFS, 201 S. Grand Ave. E., 3rd Fl., Springfield IL 62763-0002, 217/557-7157.

ANHYDROUS AMMONIA

The DEPARTMENT OF AGRICULTURE adopted an emergency amendment, effective 6/29/06, for a maximum of 150 days for a new Part titled “Anhydrous Ammonia Security Grant Program” (8 Ill Adm Code 217). An identical proposed rulemaking appears in this issue of the *Illinois Register*. This pilot program is designed to cost-share expenses associated with improving safety and security of anhydrous ammonia tanks and facilities in order to prevent anhydrous ammonia theft. Businesses and individuals that sell or distribute anhydrous ammonia for agricultural purposes will be eligible for the program. Preference for grants includes, but is not limited to, those who have invested their own time and money in the project, proposals that are reasonably expected to increase security, and projects that will provide additional or multiple layers of security. Applicants may also be evaluated based upon their accountability, timeliness, and effectiveness in a previous grant cycle. The grantee’s contributions must be identified as allowable costs in the application, may not be received from any other Department or State-funded grant program, and must be irrevocably obligated to the project. Mandatory grant agreement provisions include the grant amount, project scope and schedule, progress report deadlines, and return of unexpended funds. In addition, the Part covers definitions, application requirements, record maintenance, default/termination of grant agreements, administrative standards, prevailing wage, and establishment of a review committee. Those affected by these rulemakings include anhydrous ammonia facili-

The Flinn Report

Illinois General Assembly

Illinois

Regulation

Joint Committee on Administrative Rules
700 Stratton Building Springfield IL 62706

PRSRT STD

U.S. Postage

PAID

Springfield IL

Permit NO. 870

New Regulations

ties, farmers, agribusinesses, first responders, and law enforcement agencies.

Questions/requests for copies/comments concerning the proposed rulemaking until 8/28/06: Linda Rhodes, DOA, State Fairgrounds, Spfld IL 62794-9281, 217/785-5713, Fax 217/785-4505.

NEWSLETTER CORRECTION

In the 7/7/06 *Flinn Report*, summaries of 4 emergency rulemakings were incorrectly placed under the general heading for proposed rulemakings rather than adopted rulemakings. The 4 rulemakings are "Hospital Services" (89 Ill Adm Code 148), "Hospital Re-

imbursement Changes" (89 Ill Adm Code 152), "Long Term Care Reimbursement Changes" (89 Ill Adm Code 153), and "Community Care Program" (89 Ill Adm Code 240). JCAR staff apologizes for any confusion this error may have caused.

Proposed Regulations

Code 547) implementing Public Act 94-756, which regulates the use of signs by municipalities and counties that prohibit excessive commercial vehicle noise from engine braking. (Engine braking is a driving technique of slowing a vehicle by removing pressure from the throttle/gas pedal, particularly in a lower gear, and using the compression of the engine and the low gearing of the transmission/transfer gearbox to slow the vehicle, thus creating excessive noise from the compression and transfer of power through the lower gears.) The rulemaking allows municipalities and counties to

furnish, install, and maintain engine braking signs on sections of road under DOT's jurisdiction that are not freeways or interstates at the municipality's or county's expense. The rulemaking also addresses sign design criteria and supplemental sign criteria. Commercial vehicle operators and small municipalities that choose to participate in this program will be affected by this rulemaking.

Questions/requests for copies/comments until 8/28/06: Joseph S. Hill, DOT, 2300 S. Dirksen Pkwy., Rm. 009, Springfield IL 62764, 217/782-7231.

PROPERTY TAXES

The PROPERTY TAX APPEAL BOARD requested an expedited correction for amendments to "Practice and Procedure for Appeals Before the Property Tax Appeal Board" (86 Ill Adm Code 1910) that were adopted in the 6/2/06 *Illinois Register*. The background text in the adopted rulemaking did not reflect previous amendments for this Part that became effective on 2/15/06 and 4/14/06. The expedited correction will rectify this oversight.

Questions/requests for copies/comments: James Chipman at PTAB address and telephone number above.

Second Notices

The following rulemaking was moved to second notice this week by the agency listed below, commencing the JCAR review period. This rulemaking will be considered at JCAR's August 8, 2006 meeting in Chicago.

DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION

"Predatory Lending Database" (38 Ill Adm Code 346) proposed 4/14/06 (30 Ill Reg 6226)